

EXHIBIT QQ

1 CHAD W. DUNN
2 *Admitted Pro Hac Vice*
3 SONNI WAKNIN
4 *Admitted Pro Hac Vice*
5 UCLA Voting Rights Project
6 3250 Public Affairs Building
7 Los Angeles, CA 90095
8 Telephone: (310) 400-6019

MOLLY P. MATTER, WSBA #52311
Amend Law, LLC
PO Box 13203
Burton, WA 98013
Telephone: (206) 280-8724

9 ROSEMARY M. RIVAS
10 *Admitted Pro Hac Vice*
11 MARK H. TROUTMAN
12 *Admitted Pro Hac Vice*
13 GIBBS LAW GROUP LLP
14 1111 Broadway, Suite 2100
Oakland, CA 94607
Telephone: (510) 350-9700
Facsimile: (510) 350-9701

EDWARD MORFIN
Morfin Law Firm
732 N. Center Parkway
Kennewick, WA 99336
Telephone: 509-380-9999

14 *Attorney for Plaintiffs*

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16 **UNITED STATES DISTRICT COURT**
EASTERN DISTRICT OF WASHINGTON

17 JESSE REYES, DANIEL REYNOSO, LEAGUE
18 OF UNITED LATIN AMERICAN CITIZENS,
LATINO COMMUNITY FUND OF
19 WASHINGTON

Case No.: 4:21-cv-05075-MKD

20 Plaintiffs,

**PLAINTIFF JESSE REYES'S AMENDED
AND SUPPLEMENTAL RESPONSES AND
OBJECTIONS TO DEFENDANTS' FIRST
INTERROGATORIES**

21 vs.

JUDGE: HON. MARY K. DIMKE

22 BRENDA CHILTON, et al.,

23 Defendants.

**PLAINTIFF REYES'S AMENDED AND SUPPLEMENTAL RESPONSES AND
OBJECTIONS TO DEFENDANTS' FIRST INTERROGATORIES**

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Case No. 4:21-cv-05075-MKD

1 Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure, Plaintiff Jesse Reyes, by
2 and through his undersigned counsel, hereby provide the following amended and supplemental
3 responses and objections to Defendants' First Interrogatories.

4 **PRELIMINARY STATEMENT**

5 1. Plaintiff's responses to Defendants' Interrogatories are made without prejudice to
6 Plaintiff's rights to contend at any other stage of the proceedings that the requested responses are
7 irrelevant, inadmissible, or otherwise objectionable.

8 2. Plaintiff reserves the right to revise, supplement, correct or clarify any of their
9 responses as necessary or appropriate.

10 3. Plaintiff objects to each Interrogatory to the extent it seeks responses protected from
11 disclosure by the attorney-client privilege, attorney work-product doctrine, or any other applicable
12 privileges or immunities. No waiver of any such privilege or immunity is intended by any
13 responses by Plaintiffs. Such inadvertent disclosure is further protected and does not operate as a
14 waiver pursuant to Rule 502(b) of the Federal Rules of Evidence.

15 **OBJECTIONS AND RESPONSES TO INTERROGATORIES**

16 **INTERROGATORY NO. 4:**

17 For the past five years, please state (a) each election in which you voted; (b) how you
18 submitted your ballot (e.g., in-person or by mail); (c) whether the signature on your ballot
19 declaration was determined not to match the signature in your voter registration file; (d) whether you
20 received notice of the signature mismatch; (e) whether you submitted by the deadline the form
21 necessary to cure the signature mismatch; and (f) whether your vote was counted in the election in
22 which you voted.

23 **RESPONSE:**

24 Plaintiff objects on the grounds that the interrogatory is vague, ambiguous, and overbroad as
25 to the terms "each election" because it is not limited to elections in Benton, Chelan, or Yakima
26 counties. To the extent the interrogatory seeks information related to elections not administered by
27 Defendants, Plaintiff objects to the interrogatory on the grounds that it seeks information that is not

1 relevant to the parties' claims and defenses and proportional to the needs of the case. Plaintiff also
 2 objects to the interrogatory the extent Defendants have exclusive or equal access to such information
 3 and/or to the extent the requested information is publicly available.

4 Subject to and without waiving the foregoing objections, Plaintiff responds as to elections
 5 that took place in the State of Washington as follows: Plaintiff recalls the following:

- 6 a. 2021 Election(s): Plaintiff voted in at least one election in 2021. Plaintiff's ballot was
 7 submitted by mail. Plaintiff's signature on his ballot declaration was determined not to
 8 match the signature in his voter registration file. Plaintiff received a notice of the
 9 signature mismatch. Plaintiff did not submit by the deadline the form necessary to cure
 10 the signature mismatch. Plaintiff does not know whether his vote was counted in the
 11 2021 election in which he voted.
- 12 b. 2016-2019 Election(s): Plaintiff voted in elections in 2021 and recalls voting in the 2018
 13 primary election and 2016 general election. Plaintiff does not recall other details except
 14 that he received at least one notice of signature mismatch apart from the one received in
 15 2021 but does not recall the election(s) to which the notice(s) pertained.

16 **SUPPLEMENTAL RESPONSE:**

- 17 c. 2022 Election: Plaintiff voted in the 2022 General Election held on 11/8/2022.
- 18 d. 2021 Elections: Plaintiff voted in both the 2021 General Election and 2021 Primary
 19 Election. Plaintiff's signature on his ballot declaration was determined not to match the
 20 signature on his voter registration file for the 2021 General Election. Plaintiff may have
 21 received a notice of signature mismatch. Plaintiff has provided a notice that he has found
 22 on VoteWA showing that Chelan County did send a notice which has been provided.
 23 Reyes_Plaintiffs_000284-000285.
- 24 e. 2016-2020 Elections: Plaintiff voted in the 2018 Primary Election and 2016 General
 25 Election.

1 **INTERROGATORY NO. 17:**

2 Please describe fully the terms of the injunction You seek against each of Benton County,
3 Chelan County, and Yakima County.

4 **RESPONSE:**

5 Plaintiff objects to this interrogatory on the grounds that it is overbroad, burdensome and
6 premature at this stage in the litigation. *See In re eBay Seller Antitrust Litig.*, No. C 07-1882, 2008
7 WL 5212170, at *2 (N.D. Cal. Dec. 11, 2008); *In re Convergent Securities Litig.*, 108 F.R.D. 328,
8 332-38 (N.D. Cal. 1985); *See also Olson v. City of Bainbridge Island*, No. C08-5513RJB, 2009 WL
9 1770132, at *4 (W.D. Wash. June 18, 2009) (upholding “overly broad” objection to contention
10 interrogatory which requested “all facts and all evidence” supporting a particular allegation); *See*
11 *also AdvoCare Int'l, L.P. v. Scheckenbach*, No. C08-5332 RBL, 2009 WL 3064867, at *1 (W.D.
12 Wash. Sept. 24, 2009) (“Numerous federal courts have held that contention interrogatories which
13 systematically track all of the allegations in an opposing party's pleadings, and that ask for each and
14 every fact and application of law to fact that supports the party's allegations are an abuse of the
15 discovery process because they are overly broad and unduly burdensome.”) (internal quotations
16 omitted). Plaintiff also objects to the interrogatory on the grounds that it calls for expert testimony
17 prior to the deadline of the exchange of expert reports in violation of Fed. R. Civ. P. 26.

18 Subject to and without waiving the foregoing objections, Plaintiff responds as follows:
19 Plaintiff expects that materials in forthcoming expert reports will be responsive. Plaintiff intends to
20 provide a response to this interrogatory by January 20, 2023 assuming discovery deadlines do not
21 change. Should additional information surface in light of continuing discovery obligations, Plaintiff
22 reserves the right to supplement or respond thereafter.

23 **SUPPLEMENTAL RESPONSE:**

24 Plaintiff is seeking a permanent injunction against Benton, Chelan, and Yakima Counties that
25 would declare the application of the signature verification process RCW 29A.40.110 violative of the
26 United States Constitution and of Section 2 of the Federal Voting Rights Act, 52 U.S.C. § 10301.
27 Plaintiff seeks to enjoin Defendants, their agents and successors, and all persons acting in concert

1 with, or as agents of, any Defendants from implementing RCW 29A.40.110 and WAC 434-261-050
2 in future elections.

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4 Dated: May 1, 2023

5 /s/ Mark H. Troutman

6 ROSEMARY M. RIVAS
7 *Admitted Pro Hac Vice*
8 MARK H. TROUTMAN
9 *Admitted Pro Hac Vice*
GIBBS LAW GROUP LLP
1111 Broadway, Suite 2100
Oakland, CA 94607
Telephone: (510) 350-9700
Facsimile: (510) 350-9701

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11 *Attorneys for Plaintiffs*
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VERIFICATION OF INTERROGATORY ANSWERS

I, Jesse Reyes, verify that I have read and know the contents of the foregoing **Plaintiff Jesse Reyes' Amended and Supplemental Responses and Objections to Defendant's First Interrogatories** and believe them to be true and correct.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on this 5 day of May 2023, at Wenatchee, WA.
(City, State)

Jesse Reyes

Jesse Reyes

Signature Certificate

Reference number: UGTCW-V6X8F-FPCR6-QY8HS

Signer	Timestamp	Signature
Jesse Reyes Email: jareyes1295@gmail.com Shared via link	Sent: 04 May 2023 18:49:31 UTC Viewed: 04 May 2023 18:50:11 UTC Signed: 05 May 2023 22:44:27 UTC	 IP address: 174.204.72.147 Location: Seattle, United States

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05 May 2023 22:44:27 UTC

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